

### REMARKS

Claims 1-7 are pending in the application. New claims 5-7 have been added.

#### Specification and Claims

Minor changes have been made to the specification, and claims to place them in better form for U.S. practice.

#### Substitute Specification

The above-noted specification changes are set forth in the attached Substitute Specification. The Substitute Specification does not contain new matter.

A Comparison Specification showing the matter being added to and deleted from the original specification is also submitted herewith.

The Examiner is respectfully requested to approve the Substitute Specification.

#### An Embodiment of the Present Invention

An embodiment of the present invention is directed to a suspension cross member 1 having bulkheads 40, 40 provided between upper and lower member plates 22, 23 transversely and inwardly of the support points for the rearward arms in such a manner that a circumferential edge 43 of each of the bulkheads 40, 40 extends longitudinally to a rear of the vehicle from a disconnection initiating point G located on a forward arm side of the opening along inner sides of the upper and the lower plate members so as to be welded to the upper and lower plate members. This feature is clearly disclosed at least in page 14, lines 4-12 of the specification as filed.

Claim Rejections – 35 U.S.C. § 102

Claims 1-3 have been rejected under 35 U.S.C. § 102(b) as being anticipated by JP2001-253218 (relating to USP 6,494,472 to Suzuki). This rejection is respectfully traversed.

The cited JP reference was filed in Japan on March 13, 2000 and the application No. thereof is P2000-68029. USP 6,494,472 (hereinafter, Suzuki) claims priority based on Japanese application No. 2000-068029 filed on March 13, 2000. Therefore, Applicants believe that Suzuki is a corresponding U.S. application and the disclosure therein is identical to that of the corresponding Japanese application. For the sake of efficiency, Applicants relies on the statements in the U.S. patent for the following patentability arguments.

Suzuki discloses a U-shaped bracket 11 provided between an upper plate 8 and a lower plate 9. As Suzuki states, in col. 4, lines 17-24, that

This bracket 11 is disposed between the lower plate 9 and the upper plate 8 by joining a lower plate portion 11b thereof to the lower plate 9 beforehand and by bringing an upper plate 8 after the upper plate 8 is assembled to the lower plate 9, by which the proximal end portion of the suspension lower arm support portion 9b is isolated from an internal space.

Suzuki also discloses, in col. 6, lines 14-16 that

Also, the bracket 11 may be formed so that either one of the lower plate portion 11b and the upper plate portion 11c may be joined to the lower plate 9 or the upper plate 8.

Therefore, Suzuki discloses joining either one of the lower plate portion 11b or the upper plate portion 11c to the lower plate 9 or the upper plate 8, but fails to disclose that both the upper plate portion 11c and the lower plate portion 11b must “be welded to the upper and lower plate members.” Therefore, Suzuki does not disclose or suggest the “bulkheads” as recited in claim 1.

Claims 2 and 3, dependent on claim 1, are allowable at least for their dependency on claim 1.

The Examiner is respectfully requested to reconsider and withdraw this rejection.

Claim Rejections – 35 U.S.C. § 103

Claim 3 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Suzuki. This rejection is respectfully traversed.

Claim 3, dependent on claim 1, is allowable at least for its dependency on claim 1.

The Examiner is respectfully requested to reconsider and withdraw this rejection.

Allowable Subject Matter

Applicants appreciate the Examiner's indication that claim 4 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Rather than amending claim 4 to include all of the limitations of claim 1, new claim 7, which includes all of the limitations of claims 1 and 4 have been added.

Applicants believe that claim 4, dependent on claim 1, is allowable at least for its dependency on claim 1.

A favorable determination and allowance of these claims is earnestly solicited.

New Claims

In addition to claim 7, new claims 5 and 6 have been added.

Claims 5 and 6, dependent on claim 1, are allowable at least for their dependency on claim 1.

A favorable determination by the Examiner and allowance of these claims is earnestly solicited.

Conclusion

Accordingly, in view of the above amendments and remarks, reconsideration of the rejections and objections, and allowance of the pending claims are earnestly solicited.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Maki Hatsumi (#40,417) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.


Application No.: 10/743,150  
Reply dated October 5, 2005  
Reply to Office Action of July 5, 2005  
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Docket No.: 0649-0938P

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or to credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

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Respectfully submitted,

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Attachments: Substitute Specification - 13 pages  
Comparison Specification - 19 pages